UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE Nashville Division

CABINETS TO GO, LLC,

v.

Civil Action No. 3:21-cv-00711

Plaintiff,

Judge Waverly D. Crenshaw, Jr., Magistrate Judge Jeffery S. Frensley

QINGDAO HAIYAN GROUP, CO., LTD, et al.

Defendants,

<u>DECLARATION OF SHUXIA YOU ON BEHALF OF</u> <u>QINGDAO DROUOT WOOD INDUSTRY CO., LTD</u>

Shuxia You, pursuant to 28 U.S.C. § 1746 hereby declares as follows:

- I am over 18 years of age, of sound mind, and otherwise competent to make this
 Declaration. The evidence set out in the foregoing Declaration is based on my
 personal knowledge.
- 2. I am the Director of Administration of Qingdao Drouot Wood Industry Co., Ltd. ("Drouot"). I submit this Declaration in support of Defendants' Motion to Dismiss.
- 3. Qingdao Haiyan Real Estate Group Co., Ltd. ("Haiyan") is a Chinese limited company, with its sole facilities located at Jihongtan Sub-district, Chengyang District, Qingdao City, Shandong Province, China.
- 4. Drouot is a Chinese limited company, with its sole facilities located at Jihongtan Subdistrict, Chengyang District, Qingdao City, Shandong Province, China. Drouot is a subsidiary of Haiyan.
- 5. Drouot is not, nor was at any time, registered to do business in any state in the United States.

- 6. Drouot has no offices, properties, leases, or employees in Tennessee or in any state in the United States.
- 7. Drouot conducts its entire business operations outside of the United States of America.
- 8. Drouot does not solicit any sales in the United States.
- 9. After November 7, 2018, Drouot was no longer involved, in any capacity with purchase orders by Cabinets To Go, LLC ("CTG"), or manufacture of product ordered by CTG. Drouot had no involvement with the subject cabinetry at issue in this litigation.
- During the time it conducted business with CTG, all purchase orders placed by CTG were placed with Drouot in Asia, and CTG contracted to accept the product at Haiyan's manufacturing facility in China. Drouot did not ship the product to CTG. Instead, all shipments from the Drouot manufacturing facility in China to CTG's destination were arranged for and directed entirely by CTG. Drouot had no control over the products, the destination of the products, or the shipping process after the products were loaded onto CTG's containers at its manufacturing facility, and Drouot did not cause the products to be shipped to any location in the United States, including Tennessee. The ultimate destination for products purchased by CTG was entirely outside of Drouot's control, and within CTG's control.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 31/01, 2022.

办海费

Shuxia You